

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FREDERICK EDWARD WALKER,

Plaintiff,

v.

CITY OF RENTON, et al.,

Defendants.

CASE NO. C11-2114 RAJ

ORDER

This matter comes before the court on defendants' motion to exclude evidence. Dkt. # 48. Defendants seek to exclude all evidence on injury, disability, wage loss, medical treatment (including diagnosis), medical records, and medical bills. Dkt. # 53. The court cannot make a determination at this time because of the inadequate briefing by the parties. All of the cases cited by defendants with respect to damages experts and causal connection between the incident and the injury, disability and wage loss are cases involving negligence or product liabilities claims. Dkt. # 48 at 6-8. However, plaintiff does not have a claim for negligence or product liability, and defendants make no attempt

1 to advise the court how these cases are relevant to plaintiff's claims.¹ Plaintiff's response
2 is far worse because it does not cite to a single case or provide any legal authority.

3 For all the foregoing reasons, the court DENIES defendants' motion WITHOUT
4 PREJUDICE. Defendants may raise the same exclusion arguments in their motions in
5 limine, which are due July 8, 2013, provided they find relevant case law or explain why
6 the court should apply Washington law applying negligence theories to this case. The
7 court expects the parties to provide relevant legal authority in all future briefing.

8 Dated this 22nd day of May, 2013.

9
10 
11

12 The Honorable Richard A. Jones
13 United States District Judge
14
15
16
17
18
19
20
21
22
23
24
25

26 ¹ Plaintiff alleges claims for violation of the Fourth Amendment, municipal liability,
27 assault and battery, false arrest, malicious prosecution, and violation of the First Amendment.